

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE**

UNITED STATES OF AMERICA

vs.

JACOB BARNES

Case No. 4:12-CR-005-001

MEMORANDUM AND ORDER

This action came to the attention of the undersigned on Thursday, July 12, 2012, from United States Probation Officer (USPO) Donna Rankin. She advised that Alcohol, Tobacco and Firearms Agent (ATF) Stephen Gordy, advised USPO Rankin that Defendant Jacob Barnes was potentially in violation of his Order Setting Conditions of Release, in that, he was known to have been drinking alcohol at Applebee's in McMinnville, Tennessee, on July 9, 2012. Also, on this same date, three hours after the consumption of alcohol, Defendant Jacob Barnes was breathalyzed by local law enforcement. Mr. Barnes registered .04 on the BAC. Defendant Barnes was also in violation of his Electronic Monitoring condition, in that he did not have permission to be at Applebee's.

Both the United States Attorney Anne-Marie Svolto and Defense Attorney John P. Partin were notified by USPO Donna Rankin of the violations. After which, Attorney John P. Partin advised that Defendant Barnes wished to come off of the bond and go directly into the custody of the United States Marshals Service in lieu of a bond revocation hearing.

Following advice of counsel, Defendant Jacob Barnes self surrendered to the United States Marshal's Service on July 11, 2012, and he wishes to begin receiving jail credit.

Having considered the matter, the previous Order setting the defendant's bond and his Conditions of Release is null and void.

SO ORDERED.

ENTER.

s/William B. Mitchell Carter

UNITED STATES MAGISTRATE JUDGE